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08 OCT 2008

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In re Application of:  
HAYABUSA, Naganobu : DECISION REGARDING  
U.S. Application No.: 10/582,244 : RENEWED SUBMISSION UNDER  
PCT No.: PCT/JP2005/005135 : 37 CFR 1.42  
International Filing Date: 22 March 2005 :  
Priority Date: 27 July 2004 :  
Attorney's Docket No.: SIP018 :  
For: MIXING METHOD FOR POWDER :  
MATERIAL AND LIQUID :  
MATERIAL, AND MIXER :  
:

This decision is issued in response to the "Response To Decision Regarding Submission Under 37 CFR 1.42" filed by applicant on 01 October 2008, treated herein as a renewed submission under 37 CFR 1.42. No petition fee is required.

**BACKGROUND**

The procedural background for this application was set forth in the decision mailed by this Office on 08 August 2008. In that decision, the declaration filed on 09 June 2006 under 37 CFR 1.42 was rejected without prejudice for failure to include all required information. Specifically, the declaration did not include the citizenship of the deceased sole inventor.

On 01 October 2008, applicant filed the "Response To Decision Regarding Submission Under 37 CFR 1.42" considered herein, accompanied by a revised declaration.

**DISCUSSION**

The 01 October 2008 submission includes a declaration executed on behalf of deceased inventor Naganobu HAYABUSA by his legal representative Kyoko HAYABUSA. This declaration includes all required information with respect to the deceased inventor and the legal representative. Accordingly, acceptance under 37 CFR 1.42 and 1.497 of the declaration filed 01 October 2008 is appropriate.

**CONCLUSION**

Applicant's request for status under 37 CFR 1.42 with respect to deceased inventor Naganobu HAYABUSA is **GRANTED**.

This application is being referred to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 01 October 2008.



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